

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: _____ Agency(ies) Charge No(s): _____

☐ FEPA

☒ EEOC

Ohio Civil Rights Commission _____ and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Toni Nash

Home Phone (Incl. Area Code)

(513) 567-2945

Date of Birth

12/26/1967

Street Address

City, State and ZIP Code

c/o Zach Gottesman, Esq., 404 E. 12th St., 1st Floor, Cincinnati, Ohio 45202

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)

Name

City of Cincinnati

No. Employees, Members

500+

Phone No. (Incl. Area Code)

(513) 352-3243

Street Address

City, State and ZIP Code

801 Plum St., Cincinnati, Ohio 45202

Name

No. Employees, Members

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☒ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

11/1/2022

Latest

to present

☒ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I have suffered ongoing harassment, due to my race/color, in connection with my employment with the City of Cincinnati, as well as retaliation for protected conduct. I am employed, and have at all times relevant hereto been employed, as a police officer with the City of Cincinnati. I am black, and have been inter-racially married to a white man, and have biracial children. On or about November 1, 2022, Police Captain Danita Pettis, the District 2 Commander, participated in a phone conversation with Sergeant Linda Sellers, Sergeant Nedra Ward, and retired Sergeant Carolyn Wilson. Sellers and Ward are assigned to District 2 and 5, respectively.

I am the subject of that phone conversation, which was mostly recorded. The statements made in that phone conversation by Captain Pettis include accusing me of sleeping with the enemy and having children with the enemy, referring to, with racial animus, my former interracial marriage and children (referring to all white persons as the "enemy"). They likewise engage in gossip concerning a domestic violence call, with respect to my husband, with an eye towards undermining me and my employment. I was referred to as "stupid as a box of rocks," I had "the brain of a gnat," I was referred to "retarded" and "special kind of people," "f@!k her and her biracial relationships," and I was accused (falsely) of sleeping with white male officers, and threatened violence towards me. She indicated she had the power to hurt and destroy me in that call. After I received the recording of the call, I turned the call into internal affairs, where it was swept under the rug.

In or about April 1, 2023, the Cincinnati Police Department staff notes (how job openings are posted internally) indicated that there was an opening in the investigator position for District 2 (actually there was two positions open). I applied for the position, and received a call from Sgt. Linda Sellers, who told me that I needed to call and apologize to Captain Pettis if I wanted the position. I took that to mean, in light of the recording, that I needed to apologize to Captain Pettis for my white husband and interracial children if I wanted the position. It is widely known that those participating in the selection would do what Captain Pettis wanted. I was also told the same thing by retired officer Winstead, that I needed to apologize to Captain Pettis for any perceived slights.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

8/17/2023

Date

x Toni Nash
 Charging Party Signature

NOTARY - When necessary for State or Local Agency Requirements

Daniel G. Gottsman
 ZACHARY GOTTSMAN, Attorney at Law
 Notary Public, State of Ohio
 My Commission Expires on 12/31/2025
 Section 147.05

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

x Toni Nash

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
 (month, day, year)

8/17/2023



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THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I applied anyways, and called Captain Pettis as instructed by Sgt. Sellers (though I did not intend to apologize for my white husband or biracial children. The call lasted 10-15 minutes. That call was not productive. In the interview process, I brought in case jackets (I was previously an investigator in District 5), did a summary, and demonstrated my years of experience that were a fit for the job.

When the list came out, I was ranked last, due to the improper influence of Danita Pettis and her race-based hostility towards me. When the City of Cincinnati legal department learned of Captain Pettis' handling of the investigator hiring issue, they directed her to destroy the memoranda, recognizing the race-based animus and improper actions. I have thus lost a position and the tangible employment actions due to Captain Pettis' actions.

Since that lost promotion, and to date, and with a retaliatory motive, Pettis has undertaken to engage in a whisper campaign to undermine my career and create a hostile work environment, which has been reported back to me by at least five different officers. I was on the promotion list to Sergeant, and Captain Pettis encouraged Sergeants that would have otherwise retired so that I would be promoted to wait to do so until the list expired (I was not promoted as a result). At one point, on approximately June 21, 2023, and during the City/H.R. investigation of my complaints of race discrimination directed at Captain Pettis, and to show she could get to me, anywhere, anytime, Pettis drove to my home to harass and threaten me. Sergeant Linda Sellers also called me, yelling and upset at me, regarding my report regarding Captain Pettis to H.R./the City.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

8/17/2023

Date

x *Tari Nas H*
Charging Party Signature

NOTARY - When necessary for State or Local Agency Requirements

Zachary Gottesman ZACHARY GOTTESMAN, Attorney at Law
Notary Public, State of Ohio

I swear or affirm that I have read the above charge and understand its contents. My Commission Expires on *10/16/25*
knowledge, information and belief. Section 147.03

SIGNATURE OF COMPLAINANT

x *Tari Nas H*
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)
8/17/2023

